

S/N 09/513,010



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jiandong Huang et al.

Examiner: Unknown

Serial No.: 09/513,010

Group Art Unit: 2785

Filed: February 25, 2000

Docket: H16-26156

(256.044US1)

Title: MULTIPLE NETWORK FAULT TOLERANCE VIA REDUNDANT
NETWORK CONTROL

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CONSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP

MAR 21 2001

Commissioner for Patents
Washington, D.C. 20231

Technology Center 2100

Honeywell International Inc., 101 Columbia Road, AB2 Building, Morristown, NJ 07962, being the sole owner of the above-identified application, as evidenced by the Assignment enclosed herewith, hereby consents to the change of inventorship in the above-identified application from the inventorship of Jiandong Huang, Sejun Song, Tony John Kozlik, Ronald J. Freimark, and Jay W. Gustin to the inventorship of Jiandong Huang, Sejun Song, Tony John Kozlik, Ronald J. Freimark, Jay W. Gustin, and John M. Dahl.

I declare that I am an Official of the Assignee who is empowered to authorize this consent.

By:

John G. Shudy, Jr.

Date: 01/29/01

Title: Associate General Counsel

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MAR 20 2001

OFFICE OF PETITIONS

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MULTIPLE NETWORK FAULT TOLERANCE VIA REDUNDANT
NETWORK CONTROL



PETITION TO CORRECT INVENTORSHIP
PURSUANT TO 37 C.F.R. §1.48(a)

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MAR 21 2001

Commissioner for Patents
Washington, D.C. 20231

Technology Center 2100

I, John M. Dahl, make this petition pursuant to 37 C.F.R. §1.48(a), to correct the inventorship of the invention claimed in the above-identified patent application, U.S. Patent Application Serial No. 09/513,010, filed February 25, 2000.

When the present application was filed, Jiandong Huang, Sejun Song, Tony John Kozlik, Ronald J. Freimark, and Jay W. Gustin were named as inventors. However, after the present application was filed, patent counsel for Honeywell International Inc., determined that I, John M. Dahl, was a co-inventor of the subject matter claimed at the time the present application was filed. Petitioners hereby request that I, John M. Dahl be added as an inventor of the above-identified application.

Furthermore, I, John M. Dahl, hereby state that this error in inventorship was made without deceptive intent.

In summary, at the time the present application was filed, the co-inventors of the subject matter claimed in the present application were Jiandong Huang, Sejun Song, Tony John Kozlik, Ronald J. Freimark, Jay W. Gustin, and John M. Dahl.

Date

March 13, 2001


John M. Dahl

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MAR 20 2001

OFFICE OF PETITIONS

SCHWEGMAN _ LUNDBERG _ WOESSNER _ KLUTH

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **MULTIPLE NETWORK FAULT TOLERANCE VIA REDUNDANT NETWORK CONTROL**, the specification of which was filed on February 25, 2000 as application serial no. 09/513,010.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Huebsch, Joseph C.	Reg. No. 42,673	Oh, Allen J.	Reg. No. 42,047
Beekman, Marvin L.	Reg. No. 38,377	Jurkovich, Patti J.	Reg. No. 44,813	Padys, Danny J.	Reg. No. 35,635
Bianchi, Timothy E.	Reg. No. 39,610	Kalis, Janal M.	Reg. No. 37,650	Parker, J. Kevin	Reg. No. 33,024
Billion, Richard E.	Reg. No. 32,836	Kaufmann, John D.	Reg. No. 24,017	Perdok, Monique M.	Reg. No. 42,989
Black, David W.	Reg. No. 42,331	Klima-Silberg, Catherine I.	Reg. No. 40,052	Peterson, David C.	Reg. No. P-47,857
Brennan, Leoniede M.	Reg. No. 35,832	Kluth, Daniel J.	Reg. No. 32,146	Prout, William F.	Reg. No. 33,995
Brennan, Thomas F.	Reg. No. 35,075	Lacy, Rodney L.	Reg. No. 41,136	Schumm, Sherry W.	Reg. No. 39,422
Brooks, Edward J., III	Reg. No. 40,925	Lemaire, Charles A.	Reg. No. 36,198	Schwegman, Micheal L.	Reg. No. 25,816
Chu, Dinh C.P.	Reg. No. 41,676	LeMoine, Dana B.	Reg. No. 40,062	Scott, John C.	Reg. No. 38,613
Clark, Barbara J.	Reg. No. 38,107	Lundberg, Steven W.	Reg. No. 30,568	Smith, Michael G.	Reg. No. 45,368
Clise, Timothy B.	Reg. No. 40,957	Maeyaert, Paul L.	Reg. No. 40,076	Speier, Gary J.	Reg. No. 45,458
Dahl, John M.	Reg. No. 44,639	Maki, Peter C.	Reg. No. 42,832	Steffey, Charles E.	Reg. No. 25,179
Drake, Eduardo E.	Reg. No. 40,594	Malen, Peter L.	Reg. No. 44,894	Stordal, Leif T.	Reg. No. 46,251
Embreton, Janet E.	Reg. No. 39,665	Mates, Robert E.	Reg. No. 35,271	Terry, Kathleen R.	Reg. No. 31,884
Fordenbacher, Paul J.	Reg. No. 42,546	McCrackin, Ann M.	Reg. No. 42,858	Tong, Viet V.	Reg. No. 45,416
Forrest, Bradley A.	Reg. No. 30,837	Moore, Charles L., Jr.	Reg. No. 33,742	Viksnins, Ann S.	Reg. No. 37,748
Gamon, Owen J.	Reg. No. 36,143	Nama, Kash	Reg. No. 44,255	Vogel, Peter J.	Reg. No. 41,363
Harris, Robert J.	Reg. No. 37,346	Nelson, Albin J.	Reg. No. 28,650	Woessner, Warren D.	Reg. No. 30,440
Hill, Stanley K.	Reg. No. 37,548	Nielsen, Walter W.	Reg. No. 25,539	Shudy, John G. Jr.	Reg. No. 31,214

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Honeywell International Inc. and/or Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to **Honeywell International Inc.** at the address indicated below:

Law Dept. AB2
P.O. Box 2245, Morristown, NJ 07962-9806
Customer Number: 000128

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : Jiandong Huang

Citizenship: United States of America
Post Office Address: 4301 Cortona Court
San Jose, CA 95135

Residence: San Jose, CA

Signature:



Jiandong Huang

Date:

Jan. 31, 2001

Full Name of joint inventor number 2 : Sejun Song

Citizenship: Korea
Post Office Address: 1026 27th Ave SE
Apt. F
Minneapolis, MN 55414

Residence: Minneapolis, MN

Signature:

Sejun Song

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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Bianchi, Timothy E.	Reg. No. 39,610	Kalis, Janal M.	Reg. No. 37,650	Parker, J. Kevin	Reg. No. 33,024
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Drake, Eduardo E.	Reg. No. 40,594	Malen, Peter L.	Reg. No. 44,894	Stordal, Leif T.	Reg. No. 46,251
Embreton, Janet E.	Reg. No. 39,665	Mates, Robert E.	Reg. No. 35,271	Terry, Kathleen R.	Reg. No. 31,884
Fordenbacher, Paul J.	Reg. No. 42,546	McCrackin, Ann M.	Reg. No. 42,858	Tong, Viet V.	Reg. No. 45,416
Forrest, Bradley A.	Reg. No. 30,837	Moore, Charles L., Jr.	Reg. No. 33,742	Viksnins, Ann S.	Reg. No. 37,748
Gamon, Owen J.	Reg. No. 36,143	Nama, Kash	Reg. No. 44,255	Vogel, Peter J.	Reg. No. 41,363
Harris, Robert J.	Reg. No. 37,346	Nelson, Albin J.	Reg. No. 28,650	Woessner, Warren D.	Reg. No. 30,440
Hill, Stanley K.	Reg. No. 37,548	Nielsen, Walter W.	Reg. No. 25,539	Shudy, John G. Jr.	Reg. No. 31,214

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Honeywell International Inc. and/or Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

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Full Name of joint inventor number 1 : Jiandong Huang

Citizenship: United States of America

Post Office Address: 4365 Juneau Lane
Plymouth, MN 55446

Residence: Plymouth, MN

Signature:

Jiandong Huang

Date:

Full Name of joint inventor number 2 : Sejun Song

Citizenship: Korea

Post Office Address: 1026 27th Ave SE
Apt. F
Minneapolis, MN 55414

Residence: Minneapolis, MN

Signature:

Sejun Song

Date:

March 3 2001

Additional inventors are being named on separately numbered sheets, attached hereto.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 3 : Tony John Kozlik

Citizenship: **United States of America**
Post Office Address: 2936 W. Morrow Drive
Phoenix, AZ 85027

Residence: **Phoenix, AZ**

Signature: Tony John Kozlik
Tony John Kozlik

Date: January 30, 2001

Full Name of joint inventor number 4 : Ronald J. Freimark

Citizenship: **United States of America**
Post Office Address: 13014 N. 62nd Street
Scottsdale, AZ 85254

Residence: **Scottsdale, AZ**

Signature: Ronald J. Freimark
Ronald J. Freimark

Date: 1-31-2001

Full Name of joint inventor number 5 : Jay W. Gustin

Citizenship: **United States of America**
Post Office Address: 6226 E. Joan De Arc Avenue
Scottsdale, AZ 85254

Residence: **Scottsdale, AZ**

Signature: Jay W. Gustin
Jay W. Gustin

Date: 2-15-2001

Full Name of joint inventor number 6 : John M. Dahl

Citizenship: **United States of America**
Post Office Address: 2236 Springbrook Court
Grand Forks, ND 58201

Residence: **Grand Forks, ND**

Signature: John M. Dahl
John M. Dahl

Date: March 13, 2001

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.